



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

MAR 01 2024

The Honorable Pete Stauber
Chairman
Subcommittee on Energy and Mineral Resources
Committee on Natural Resources
U.S. House of Representatives
Washington, D.C. 20515

Dear Chairman Stauber:

Enclosed are responses prepared by the Bureau of Land Management (BLM) to questions for the record submitted following the Subcommittee's December 12, 2023, legislative hearing on several bills of interest to the BLM.

Thank you for the opportunity to provide this material to the Committee.

Sincerely,

Pamela Barkin
Acting Legislative Counsel
Office of Congressional and
Legislative Affairs

Enclosure

cc: The Honorable Alexandria Ocasio-Cortez
Ranking Member

Questions for the Record
House Committee on Natural Resources
Subcommittee on Energy and Mineral Resources
Hearing: *Pending Legislation*
December 12, 2023

Questions from Rep. Stauber (R-MN-08)

Question 1: How many EOIs has each field office invalidated since the Inflation Reduction Act (IRA) was passed and what criteria is each office is using to do so?

Response: The BLM is taking the word “invalidated” to mean acreage that the BLM cannot offer on an oil and gas lease sale as described in [Instruction Memorandum \(IM\) 2023-006, Implementation of Section 50265 in the Inflation Reduction Act for Expressions of Interest for Oil and Gas Lease Sales](#). As a note, many expressions of interest (EOI) contain a mix of available and unavailable lands that the BLM cannot offer in a lease sale. Table 1 provides the number of EOIs, total EOI acreage, and the reason for BLM’s inability to offer these lands on a sale, broken out by the BLM State Office with administrative jurisdiction.

Table 1. EOIs, EOI acres, and EOI status by BLM State Office.

Administrative State Office	EOI Status (Reason the BLM cannot offer these lands)	Number of EOIs	EOI Acres
CA	Withdrawn	1	3,685.000
CO	Unavailable: Other - see comments	1	7.450
ES	Leased	1	560.000
ES	Unable to Process: All Money Not Paid	3	720.000
MT/DKs	Duplicate	3	915.440
MT/DKs	Leased	1	41.900
MT/DKs	Unable to Process: Additional Information Needed	1	79.940
MT/DKs	Unable to Process: All Money Not Paid	4	477.790
MT/DKs	Unable to Process: FWS - Proof of Drainage Required	2	3,891.280
MT/DKs	Unable to Process: Unclear Locality Information	1	6.680
MT/DKs	Unavailable: Closed to Leasing	1	795.000
MT/DKs	Unavailable: Duplicate	3	558.240
MT/DKs	Unavailable: No Federal Mineral Rights	2	179.050
MT/DKs	Unavailable: Other - see comments	3	120.000
MT/DKs	Withdrawn	2	1,532.240
NM	Duplicate	1	39.970
NM	Leased	4	611.564
NM	Unable to Process: All Money Not Paid	3	418.250
NM	Unable to Process: Unclear Locality Information	1	72.930
NM	Unavailable: Closed to Leasing	3	1,360.000
NM	Unavailable: Other - see comments	1	320.000
NM	Unavailable: SMA Consent Not Provided	1	532.303
NM	Withdrawn	1	441.964
UT	Leased	1	1,419.520

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Administrative State Office	EOI Status (Reason the BLM cannot offer these lands)	Number of EOIs	EOI Acres
UT	Unavailable: Under BIA Jurisdiction	1	80.000
UT	Withdrawn	2	8,520.000
WY	Duplicate	12	1,738.960
WY	Leased	15	2,175.520
WY	Unable to Process: All Money Not Paid	68	146,776.406
WY	Unavailable: Other - see comments	3	881.690
WY	Withdrawn	2	2,029.520
Total*		144	180,988.607

*Note, the total number of EOIs is lower as a few of these have a mix of lands with different statuses. For example, an EOI may contain some lands that the BLM cannot lease as the lands are already within an authorized lease and because some of the lands do not contain Federally owned minerals.

a. How do these numbers compare percentage-wise to the remaining EOIs?

Response: The BLM received a total of 283,424.197 acres in EOIs since the Inflation Reduction Act (IRA) was enacted in August 2022. The BLM is continuing to process around 36 percent of those EOIs for future lease sales. The BLM is unable to offer around 64 percent of the EOI acres received in a future lease sale. Of those EOIs that the BLM cannot offer, 81 percent of the EOI acres received since August 16, 2022, did not include the filing fee as required by the IRA.

Question 2: Please submit the number of EOIs that you have received, along with the associated acreage, over the last 24 months by month and by State.

Response: The following table provides, by geographic state, all EOIs and acreage received and the EOIs and acreage that the BLM can offer in a lease sale over the past 24 months by each BLM State Office with administrative jurisdiction. The BLM did not provide months where no EOIs were received. See [43 CFR 3100.0-3](#) and [IM 2023-006](#) for more information on the lands the BLM may offer on a lease sale under the Mineral Leasing Act or the Mineral Leasing Act for Acquired Lands, as amended.

Table 2. EOIs received and EOIs that can be offered by state over the last 24 months.

Geographic State	Year	Month	All EOIs Received	All EOI Acreage Received	EOIs that can be Offered	EOI Acreage that can be Offered
AR	2022	Aug	1	640.00	0	0.00
AR	2023	Jan	1	560.00	0	0.00
CA	2023	May	1	1,240.00	1	1,240.00
CA	2023	Jun	1	3,685.00	0	0.00
CO	2022	Feb	1	1,581.95	1	1,581.95
CO	2022	Mar	1	2,367.00	1	2,367.00

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CO	2022	Apr	10	7,968.52	10	7,920.32
CO	2022	Jun	1	10.00	0	0.00
CO	2022	Jul	2	2,298.52	0	0.00
CO	2022	Aug	1	280.00	1	280.000
CO	2023	Jan	4	11,356.37	4	11,356.370
CO	2023	Feb	1	7.45	0	0.00
CO	2023	May	1	160.00	1	160.000
CO	2023	Jun	1	120.00	1	120.000
CO	2023	Dec	1	79.61	1	79.610
ID	2022	May	1	640.00	0	0.00
KS	2023	Sep	1	1,324.12	1	1,324.120
LA	2022	Jan	1	4,480.00	1	4,480.00
LA	2023	Jan	1	1,208.22	1	1,208.22
LA	2023	Mar	1	5,940.91	1	5,940.91
LA	2023	Jun	1	678.03	1	678.03
MI	2023	Apr	1	70.00	1	70.00
MN	2022	Jun	1	760.00	1	760.00
MN	2023	Feb	1	40.00	0	0.00
MN	2023	Apr	14	3,251.72	14	3,251.72
MN	2023	May	21	9,739.82	21	9,739.82
MS	2022	Oct	1	40.00	0	0.00
MT	2022	Feb	3	3,922.58	3	3,721.66
MT	2022	Apr	3	360.00	3	320.00
MT	2022	May	1	5,120.00	1	5,120.00
MT	2022	Jun	6	5,333.22	5	1,604.46
MT	2022	Jul	3	904.87	2	704.87
MT	2022	Aug	2	600.00	2	520.00
MT	2022	Sep	18	2,993.93	14	2,747.25
MT	2022	Oct	1	160.00	1	160.00
MT	2022	Nov	1	104.11	1	2.92
MT	2023	Jan	1	80.00	1	80.00
MT	2023	Feb	2	7.77	2	7.77
MT	2023	Mar	2	1,678.00	1	1,200.00
MT	2023	Oct	1	40.00	0	0.00
ND	2022	Jan	1	3,601.66	1	3,521.60
ND	2022	Feb	1	160.00	0	0.00
ND	2022	Mar	2	588.91	1	268.91
ND	2022	May	1	640.00	0	0.00

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ND	2022	Nov	1	41.90	0	0.00
ND	2022	Dec	4	4,971.28	2	920.00
ND	2023	Jan	4	919.78	3	759.54
ND	2023	Feb	2	1,252.40	2	457.40
ND	2023	Mar	1	198.24	0	0.00
ND	2023	May	5	2,811.01	3	1,359.07
ND	2023	Jun	1	46.80	1	46.80
ND	2023	Aug	2	360.00	2	360.00
ND	2023	Sep	1	1,199.20	1	405.90
ND	2023	Dec	1	1,400.00	1	1,400.00
NM	2022	Jan	5	1,143.34	3	723.14
NM	2022	Feb	3	880.00	2	720.00
NM	2022	Mar	1	40.00	0	0.00
NM	2022	Apr	2	40.00	0	0.00
NM	2022	May	2	429.01	1	320.00
NM	2022	Jul	4	7,560.96	3	720.96
NM	2022	Aug	6	21,155.51	1	80.00
NM	2022	Sep	1	320.00	1	320.00
NM	2022	Oct	2	124.08	2	124.08
NM	2022	Nov	3	349.51	3	349.51
NM	2022	Dec	1	443.87	1	443.87
NM	2023	Jan	1	40.00	1	40.00
NM	2023	Feb	3	279.66	2	159.66
NM	2023	Apr	10	2,640.17	7	1,880.17
NM	2023	Jun	3	1,518.10	1	319.88
NM	2023	Sep	1	640.00	1	640.00
NM	2023	Oct	1	480.00	1	480.00
NM	2023	Nov	6	1,939.31	5	1,699.31
NM	2023	Dec	7	4,002.95	6	3,402.95
NV	2022	Jan	4	2,560.00	0	0.00
NV	2022	Feb	3	2,303.09	1	240.00
NV	2022	Apr	1	2,080.00	1	2,080.00
NV	2022	May	1	1,040.00	1	1,040.00
OH	2023	Mar	1	327.08	1	327.08
OK	2022	Feb	1	15.26	1	15.26
OK	2022	Mar	1	308.00	1	308.00
OK	2022	Jun	2	110.00	1	40.00
OK	2022	Jul	1	1260.467	0	0.00

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OK	2022	Sep	2	246.00	1	40.00
OK	2022	Oct	2	7.56	1	2.00
OK	2022	Nov	1	120.00	1	120.00
OK	2022	Dec	4	532.43	3	90.47
OK	2023	Mar	1	72.93	0	0.00
OK	2023	Jun	1	89.84	1	89.840
OK	2023	Aug	1	78.68	1	78.680
OK	2023	Sep	1	42.35	1	42.350
OK	2023	Oct	2	748.93	2	748.930
OK	2023	Dec	1	58.93	1	58.93
OR	2022	Mar	1	5,000.00	0	0.00
SD	2023	Mar	1	239.79	0	0.00
TX	2022	Apr	2	512.00	0	0.00
TX	2022	Sep	1	3.40	1	3.395
TX	2022	Dec	2	2,136.65	1	1,464.346
UT	2022	Apr	13	28,629.21	8	16,619.250
UT	2022	Sep	3	8,600.00	0	0.00
UT	2022	Dec	1	1,419.52	0	0.00
UT	2023	Aug	1	392.08	1	392.080
UT	2023	Nov	1	201.20	1	201.200
WV	2022	Jul	1	146.80	0	0.00
WY	2022	Jan	2	9,781.66	1	149.000
WY	2022	Feb	7	3,471.77	3	1,160.000
WY	2022	Mar	19	24,200.75	13	17,283.320
WY	2022	Apr	53	40,762.45	39	28,156.870
WY	2022	May	26	16,904.42	9	5,689.580
WY	2022	Jun	21	31,645.02	20	13,533.960
WY	2022	Jul	7	2,884.50	4	2,442.870
WY	2022	Aug	77	156,614.34	10	5,974.070
WY	2022	Sep	3	260.00	1	120.000
WY	2022	Oct	11	13,592.56	9	11,163.040
WY	2022	Dec	17	7,666.18	8	6,324.300
WY	2023	Jan	3	579.83	2	87.890
WY	2023	Mar	4	816.40	3	736.400
WY	2023	Apr	67	22,088.41	45	17,568.870
WY	2023	May	1	238.86	1	238.860
WY	2023	Jun	1	240.00	0	0.00
WY	2023	Aug	9	3,473.86	9	3,473.86

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WY	2023	Sep	1	40.00	1	40.00
WY	2023	Oct	4	363.56	3	283.56
WY	2023	Nov	5	2,323.47	5	2,323.47
WY	2023	Dec	2	202.69	2	202.69
Total			604	541,482.30	376	231,624.17

- a. **Please submit the amount of EOI acreage offered in lease sales by the Department over the last 24 months by lease sale.**

Response: This information is included in Table 3 below.

- b. **Please submit the amount of non-EOI acreage offered in lease sales by the Department over the last 24 months by lease sale along with the agency’s rationale for offering non requested acreage.**

Response: The BLM only self-nominates lands to protect the Federal mineral estate and the public interest. The BLM calls self-nominated lands a “Bureau motion.” The BLM creates a Bureau motion to protect the Federal mineral estate from drainage or when there are unleased Federal minerals within an approved agreement.

The BLM created the following table by pulling information from the National Fluids Lease Sale System (NFLSS) on the origination of the parcel being offered on the oil and gas lease sales over the past 24 months.

Table 3. Parcels offered in lease sales over the last 24 months.

Administrative State Office	Sale Date	Count of Parcels from EOIs	Parcel Acres from EOIs	Count of Parcels from Bureau Motions	Parcel Acres from Bureau Motions
Colorado	6/30/2022	5	2,364.13	1	80.00
Montana	6/30/2022	12	3,219.31	11	186.49
New Mexico	6/30/2022	6	535.72	0	0.00
Nevada	6/30/2022	5	2,560.00	0	0.00
Wyoming	6/30/2022	122	119,564.59	0	0.00
Eastern States	6/30/2022	4	128.81	0	0.00
New Mexico	5/25/2023	43	9,683.91	2	440.00
Montana/Dakotas	6/27/2023	14	5,671.72	0	0.00
Wyoming	6/29/2023	116	127,014.62	0	0.00
Nevada	7/25/2023	4	4,720.00	0	0.00

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Wyoming	9/6/2023	81	67,182.80	0	0.00
Montana/Dakotas	9/12/2023	18	8,021.61	1	40.00
Utah	9/26/2023	14	26,853.94	0	0.00
Wyoming	11/28/2023	37	35,353.86	0	0.00
New Mexico	11/30/2023	9	553.59	0	0.00
Montana/Dakotas	12/5/2023	9	3,025.69	3	625.12
Nevada	12/5/2023	4	3,498.34	0	0.00
Utah	12/12/2023	1	761.36	0	0.00
Total		504	420,714.00	18	1,371.61
Percent of Total		96.6%	99.7%	3.4%	0.3%